

HONORABLE RONALD B. LEIGHTON

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

EFFIE LIGON,

Petitioner,

v.

UNITED STATES OF AMERICA, THE
COMMISSIONER OF INTERNAL
REVENUE, PAUL R. SHIPLEY #91-02526,
Revenue Agent, Approving Officer/Group
Manager,

Respondents.

Case No. C05-5600 RBL

ORDER GRANTING UNITED STATES'
MOTION TO DISMISS

THIS MATTER comes on before the above-entitled Court upon the United States' Motion to Dismiss.

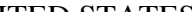
Having considered the entirety of the records and file herein, the Court rules as follows:

The United States filed the instant Motion to Dismiss on November 7, 2005. Pursuant to Local Rule W.D. Wash CR7(d)(3) the motion was noted for December 2, 2005; therefore, petitioner's response to the motion was due on November 28, 2005. Petitioner has failed to file any response to the motion. Pursuant to Local Rule W.D. Wash. CR 7(b)(2), this Court will consider petitioner's failure to file an opposition as an admission that the motion has merit. Furthermore, upon review of the motion, the Court finds that it is well-taken. This Court does not have subject matter jurisdiction over this action. *See* 26 U.S.C. § 7609. Therefore, it is hereby

ORDERED that the United States' Motion to Dismiss [Dkt. #5] is **GRANTED**.

The Clerk shall send uncertified copies of this order to all counsel of record, and to any party appearing pro se.

Dated this 9th day of December, 2005.


RONALD B. LEIGHTON
UNITED STATES DISTRICT JUDGE